

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**JONATHAN MARCUM, for himself
and on behalf of all similarly situated
individuals,**

Plaintiff,

v.

Civil Action No. 3:12-cv-108

DOLGENCORP, INC. d/b/a DOLLAR GENERAL,

Defendant.

**PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME
TO RESPOND TO DEFENDANT'S RESPONSE TO ORDER TO SHOW CAUSE**

COMES NOW the Plaintiff, Jonathan Marcum, by counsel, and moves the court for an extension of time in which to reply to the Defendant's Response to the Order to Show Cause, which was filed under seal, until August 16, 2013. (Docs. 53, 58). Since the parties, by counsel, last appeared before the court, they have sincerely endeavored to negotiate a new Memorandum of Understanding. The time fixed by the court for the Plaintiff to reply to the Defendant's Response was to be Friday, August 9, 2013, which time has expired. Although the parties have not finalized an agreement on new terms, the Plaintiff requests the extension not only to facilitate the negotiation process, but also because it may be counter-productive to the parties' goal of finalizing agreed language if the Plaintiff were to file a responsive brief at this time.

The Plaintiff regrets that an extension may result in inconvenience to the court, but seeks the extension for a proper purpose and not for a dilatory reason. Allowing an extension of one week will serve the ends of justice and judicial economy by encouraging resolution through

compromise, and will not result in legal prejudice to either party. For these reasons, good cause is shown.

Conclusion

For these reasons, the Plaintiff respectfully moves the court to extend the time to reply to the Defendant's response to the Order to Show Cause until August 16, 2013, to allow the parties to further negotiate an agreed Memorandum of Understanding.

Respectfully submitted,

**JONATHAN MARCUM,
on behalf of himself and others
similarly situated**

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2013, I will file the foregoing pleading

electronically using the CM/ECF system, which will then send a notification of such filing

(NEF) to the following:

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